

REMARKS**Rejection of Claims**

In the October 19, 2010 Office Action, claims 1-9, 15, 30, 33 and 39 were rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 6-17, 19-23 and 39-58 of U.S. Patent No. 6,458,776. Applicants have included herewith a terminal disclaimer thereby obviating this rejection.

Fees Payable

Applicants have included a terminal disclaimer with a fee due of \$130.00. This fee is being paid herewith by electronic transfer. In the event an additional fee is found due, the U.S. Patent and Trademark Office is hereby authorized to charge any additional amount necessary to the entry of this amendment to Deposit Account No. 13-4365 of Moore & Van Allen PLLC.

Conclusion

Applicants have satisfied the requirements for patentability. All pending claims are free of the art and fully comply with the requirements of 35 U.S.C. §112. It therefore is requested that Examiner Spivack issue a Notice of Allowance. In the event that any issues remain, Examiner Spivack is requested to contact the undersigned attorney at (919) 286-8089 to resolve same.

Respectfully submitted,

/mariannefuierer/

Marianne Fuierer
Attorney for Applicant
Registration No. 39,983

Moore & Van Allen PLLC
P. O. Box 13706
Research Triangle Park, NC 27709
Telephone: (919) 286-8000
Facsimile: (919) 286-8199
Attorney Docket No. 014811-673.119US